IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

Crl.MC.No. 2208 of 2007()

CC.102/2005 of JUDL.MAGISTRATE OF FIRST CLASS-II, THAMARASSERY

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PETITIONER: ACCUSED 1 TO 3

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1. K.GIREESAN,S/O.K.V.RAMAN MENON,
   KAIVALYAM,38/332-A,NANDANAM,
   KARITHALA CROSS, KARSHOKA ROAD,
   COCHIN-16.

2. M.B.MOHAN,S/O.BHASKARAN,
   PLOT NO.135,'SAGARIKA'FIRST FLOOR
   JAWAHAR NAGAR, KADAVANTHARA, COCHIN-20.

3. PRAKASH VASUDEVAN, 89 A, 9TH FLOOR,
   VICTORIA GARDEN, 100 FT.ROAD,
   COUAMBEDU, CHENNAI- 600 107.

BY ADV. SRI.M.C.JOHN
SRI.C.PRABIN BENNY

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM,
REPRESENTING THE FOREST RANGE OFFICER,
THAMARASSERY.

BY PUBLIC PROSECUTOR ADV.SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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Crl.M.C. No.2208 Of 2007

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Dated this the 13th day of August, 2007

ORDER

The learned counsel for the petitioners submit that this matter has been listed for trial on 16.8.07. He submits that the 3rd petitioner is not available here and is not able to appear before the learned Magistrate on the date on which the trial was posted. The learned counsel for the petitioners asserts that the said petitioner does not want to raise any dispute regarding the identity. So the petitioner shall apply before the learned Magistrate for exemption. Needless to say, the petitioners can claim discharge also at the stage of Sec.245/246 Cr.P.C.

With this observation this Crl.M.C.is dismissed.

(R.BASANT, JUDGE)

sj